

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

GUOTAIQIXING BIOMEDICAL
INTERNATIONAL (S) PTE. LTD.,

Plaintiff

Case Number

vs.

24-cv-3143

XUEFENG DAI

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

KHAN FUNDS MANAGEMENT
AMERICA, INC. and XUEFENG DAI,

Plaintiff

Case Number

vs.

Case No. 22-cv-05055 (ER)

NATIONS TECHNOLOGIES INC.,
NATIONS TECHNOLOGIES (USA) INC.,
SHENZHEN QIANHAI NATIONS
INVESTMENT MANAGEMENT CO. LTD.,
ZHAOXUE LUO, YINGTONG SUN,
BAOXIN HUANG, JUNEE YU, YAPING
CHEN, HUAXIA GENERAL PROCESSOR
TECHNOLOGIES INC., OPTIMUM
SEMICONDUCTOR TECHNOLOGIES
INC. d/b/a GENERAL PROCESSOR
TECHNOLOGIES, KEYI LI, and DOES 1-
20,

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

On September 19, 2023, Judge Ramos denied Nations Defendants' (Nations Technologies Inc. and Nations Technologies (USA) Inc.) motion to dismiss and granted Defendant OST's motion to dismiss. Individual Defendants Zhaoxue Luo, Junee Yu, Yingtong Sun, and Baoxin Huang have until May 6, 2024 to answer or otherwise respond to Plaintiffs' complaint. In the event that Individual Defendants file a motion under Rule 12(b) of the Federal Rules of Civil Procedure, Plaintiffs then have until June 20, 2024 to file an opposition and Defendants have until July 11, 2024 to file a reply. Defendants' motion for leave to serve Defendant Nations Investment by alternative service is pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

In the newly filed removed case, Plaintiff GTQX seeks to enforce a Singaporean judgment against Eric Dai, one of the plaintiffs in the earlier filed federal RICO action. That Singaporean judgment is based on many of the same series of events as Dai's claims in the RICO action, and in the RICO action Dai seeks, inter alia, an injunction against enforcement of the Singaporean judgment in the United States.

GTQX, the Plaintiff in the newly filed case, moreover, is a wholly-owned subsidiary of an entity whose limited partner is Nations Investment, one of the defendants in the earlier filed case. Nations Investment is a subsidiary of Nations Technologies Inc., another defendant in the earlier filed case, and all three entities share a management team. GTQX thus represents the same interests as defendants in the earlier filed case.

Signature: /s/ Akiva Shapiro

Date: 4/24/2024

Gibson, Dunn and Crutcher LLP

Firm: _____